

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Beiersdorf 702-KGB

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

09/744642

INTERNATIONAL APPLICATION NO.

PCT/EP99/05243 ✓

INTERNATIONAL FILING DATE

22. Juli 1999 (22.07.99)

PRIORITY DATE CLAIMED

1. August 1998 (01.08.98)

TITLE OF INVENTION

EMULSIFIER-FREE FINELY DISPERSED SYSTEMS OF THE OIL-IN-WATER AND WATER-IN-OIL TYPE

APPLICANT(S) FOR DO/EO/US

Heinrich GERS-BARLAG and Anja MULLER ✓

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - Copy of International Search Report
 - Copy of PCT/EP99/05243 = WO/00/07549 (First Page Only)
 - Copy of XP-000853905
 - Copy of XP-000853904
 - Copy of DE 43 03 983 A1
 - Copy of FR 2 746 301-A1

U.S. APPLICATION NO. 09/74464

INTERNATIONAL APPLICATION NO.
PCT/EP99/05243

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Beiersdorf 702-KGR

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	8 - 20 =	0	x \$18.00	\$ 0
Independent claims	1 - 3 =	0	x \$80.00	\$ 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 860.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$
SUBTOTAL =				\$ 860.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$
TOTAL NATIONAL FEE =				\$ 860.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$
TOTAL FEES ENCLOSED =				\$
				Amount to be refunded: \$
				charged: \$ 860.00

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 14-1263 in the amount of \$ 860.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1263. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Norris McLaughlin & Marcus
220 East 42nd Street
30th Floor
New York, NY 10017
(212) 808-0700

SIGNATURE

Kurt G. Briscoe

NAME

33,141

REGISTRATION NUMBER

09/744642

JC82 Rec'd PCT/PTO 26 JAN 2001

Beiersdorf 702-KGB

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EL 770070458 US

Date of Deposit January 26, 2001

I hereby certify that the following items:

- 1) Transmittal Letter to the US Designated/Elected Office (DO/EO/US)
Concerning a Filing Under 35 USC 371 (2 Pages) (duplicate)
- 2) Information Disclosure Statement
- 3) Form PTO 1449
 - Copy of PCT/EP99/05243 = WO 00/07549 (first page only)
 - Copy of XP-000853905
 - Copy of XP-000853904
 - Copy of DE 43 03 983 A1
 - Copy of FR 2 746 301-A1
- 4) Preliminary Amendment
- 5) Recordation Form Cover Sheet (2 Pages) (duplicate)
- 6) Assignment
- 7) Combination Declaration & Power of Attorney (2 Pages)
- 8) Certified Copy of Priority Document
- 9) Copy of International Search Report
- 10) Application consisting of
 - a) Specification (Pages 1-20)
 - b) Claims (Page 21)
 - c) Abstract (Last Page)
- 11) Clean Copy of Claims as a Result of Preliminary Amendment

are being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the: Hon. Commissioner for Patents, Washington, D.C. 20231, Box PCT.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 